



05/08/02

DAE #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Serial No. 09/747,648

Terry W. Cogar and Brooke Schumm III

Filed: December 26, 2000

For: A MOBILE OUTRIGGER SCAFFOLDING SYSTEM

To: The Honorable Commissioner of Patents

**PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION**

Applicants Terry W. Cogar and Brooke Schumm III, by their patent attorney, Brooke Schumm III, respectfully request the application be revived for unintentional abandonment.

1. A notice was received granting a filing date and there was no reference to Missing Parts in the 4 page notice. Unfortunately, behind it, seen in hindsight, was another notice requesting corrected drawings be filed. That notice was dated March 9, 2001.
2. The undersigned contacted the Group Art Unit last year to request how examination was proceeding. No problem was indicated; examination was suggested to be quite some time away. No mention of drawings was made.
3. When the Group Art Unit was contacted on Friday, May 3, 2002, no reference to any problem with pending examination was referenced. However, on contacting OIPE, I was advised a petition needed to be filed so that application not be deemed abandoned.
4. Accompanying this petition are the appropriate drawings and the notice given on March 9, 2001.
5. No examination has occurred. No party is prejudiced because publication of the

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<sup>0.138</sup>  
corresponding PCT application occurred within 18 months of the claimed priority date by the Patent Cooperation Treaty Rules on July 5, 2001 based on the claimed priority date of December 28, 1999 as WO 01/48335.

6. Any abandonment was purely unintentional.
7. To the extent a terminal disclaimer would be needed, the Inventors will make any such necessary disclaimer.

The Inventors respectfully request the petition be granted and the filing date be maintained as December 26, 2000 for the utility application and the pending examination continue.

Respectfully submitted,

Brooke Schumm III

Date: 5/6/02

Brooke Schumm III, Applicant and Agent

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*Notice to File Corrected Pages and Bristol board drawings*

I certify that I caused the above Petition and \$640 check to be sent the 6th day of May, 2002 by Express Mail Number ET 754316206 US with sufficient postage addressed to the Assistant Commissioner of Patents, Washington, DC 20231.

Brooke Schumm III

Brooke Schumm III

Atty # 34,926

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